

**AMENDMENTS TO THE CLAIMS**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A connecting assembly for interconnecting spinal rods secured to spinal vertebrae, the spinal rods each having a cylindrical outer surface, the connecting assembly comprising:

a pair of spinal rod connecting devices;

[[a]] an arcuate contact surface of [[each]] at least one of the connecting devices for seating on one of the spinal rods;

a locking member [[for]] having an arcuate surface, the arcuate surfaces of the one connecting device and the locking member each having opposite free ends and the locking member being shifted relative to the arcuate contact surface of the one connecting device between a clamped position with the locking member clamping the one spinal rod clamped between and against the arcuate contact surface surfaces of both the one connecting device and the locking member so that the arcuate surfaces seat flush tightly against the one spinal rod cylindrical outer surface with adjacent ones of the opposite free ends of the arcuate surfaces shifted into close proximity with one another and an unclamped position where the opposite free ends of the arcuate surfaces are all completely spaced from each other with the spinal rod released; [[and]]

a non-threaded rotatable actuator operable to shift so that rotation thereof in opposite rotary directions causes the locking member arcuate surface to shift toward and away from the arcuate contact surface of the one connecting device between the clamped and unclamped positions, the non-threaded actuator being configured to be rotatable in a clamping rotary direction by a predetermined rotary amount less than one full turn thereof to a predetermined

locked position thereof corresponding to the clamped position of the locking member on the spinal rod; and

an enlarged head portion of the actuator having an upper, central drive recess therein, and a shank portion integral with and depending from the head portion to be rotated therewith with the locking member being mounted to the shank portion for relative rotation therebetween.

2. (Canceled)

3. (Canceled)

4. (Currently Amended) A connecting assembly for interconnecting spinal rods secured to spinal vertebrae, the connecting assembly comprising:

a pair of spinal rod connecting devices;

a contact surface of [[each]] at least one of the connecting devices for seating on one of the spinal rods;

a locking member distinct from the one connecting device for being shifted relative thereto between a clamped position with the locking member clamping the spinal rod against the contact surface and an unclamped position with the spinal rod released; [[and]]

a biasing member distinct from the one connecting device that provides a bias force to urge the locking member to the unclamped position thereof; and

a rotatable actuator at least partially disposed in each mounted to the one connecting device operable to shift the locking member between the clamped and unclamped positions, the actuator rotatable and configured to be rotated by a predetermined rotary amount to a locked position thereof corresponding causing the locking member to be shifted against the bias force of the biasing member to the clamped position of the locking member on the spinal

rod wherein at least one spinal rod connecting device further includes a spring retention member for biasing the locking member in the unclamped position.

5. (Currently Amended) The connecting assembly of claim 4 wherein the spring retention biasing member is compressed when the locking member is moved to the clamped position.

6. (Currently Amended) The connecting assembly of claim 5 wherein the spring retention biasing member is a split ring located mounted to extend around a shank of the rotatable actuator member, and the split ring is compressed to bring spaced ends thereof toward one another when the locking member is moved to the clamped position.

7. (Currently Amended) The connecting assembly of claim 1 wherein the rotatable actuator is located in a bore [[in]] that extends through the one spinal rod connecting device, and the bore includes a pair of arcuate camming surfaces for camming against the rotatable actuator.

8. (Currently Amended) A connecting assembly for interconnecting spinal rods secured to spinal vertebrae, the connecting assembly comprising:

a pair of spinal rod connecting devices;

a contact surface of [[each]] at least one of the connecting devices for seating on one of the spinal rods;

a locking member for being shifted between a clamped position with the locking member clamping the spinal rod against the contact surface and an unclamped position with the spinal rod released; and

a rotatable actuator operable to shift the locking member between the clamped and unclamped positions, the actuator rotatable by a predetermined rotary amount to a locked

position thereof corresponding to the clamped position of the locking member on the spinal rod wherein the rotatable actuator member has a recess an upper head portion and an elongate shank depending therefrom with the shank including an annular outer channel extending therearound, and the locking member is secured in the recess annular channel of the rotatable actuator member shank such that the rotatable actuator member shank and locking member may rotate relative to each other.

9. (Canceled)

10. (Currently Amended) A connecting assembly for interconnecting spinal rods secured to spinal vertebrae, the connecting assembly comprising:

a pair of spinal rod connecting devices for being connected to a respective pair of spinal rods;

a cross rod having opposite ends and a central longitudinal rod axis extending therebetween and being connected to integral with a first one of the pair of spinal rod connecting devices to be fixed relative thereto at a first one of the opposite rod ends;

a rod receiving member having a central longitudinal receiver axis and being connected to integral with a second one of the pair of spinal rod connecting devices to be fixed relative thereto, the rod receiving member including an elongate internal bore oriented along the receiver axis and being configured for adjustably receiving a second one of the opposite rod ends through an open end thereof so that the rod may be pivoted with respect to the receiver axis to provide the rod with variable angles relative thereto to allow the axes of the cross rod and rod receiving member to be either coincident or extend transversely to one another and so that the cross rod may be shifted axially along the rod axis to variable depths within the bore of the rod receiving member limited by a closed end of the bore opposite the open end at which the second spinal rod connecting device is fixed;

a clamp device for clamping against the cross rod received in the rod receiving member; and

a sleeve that extends about the rod receiving member and is shifted ~~therealong axially~~  
along the receiver axis thereof for clamping the clamp device against the cross rod to fix the cross rod at an adjusted angle and an adjusted depth within the receiving member.

11. (Currently Amended) The connecting assembly of claim 10 wherein the internal bore of the rod receiving member receives the cross rod such that the cross rod may be adjustably rotated in the rod receiving member around ~~[[a]] the~~ longitudinal axis of the cross rod.

12. (Previously Presented) The connecting assembly of claim 11 wherein the clamp device may pivot to permit pivoting of the cross rod.

13. (Previously Presented) The connecting assembly of claim 12 wherein the clamp device includes an inner surface for mating with the external surface of the cross rod.

14. (Currently Amended) The connecting assembly of claim 13 wherein ~~[[with]]~~ at least a portion of the inner surface of the clamp device is arcuate for mating with the external surface of the cross rod, and the cross rod may be rotatably adjusted relative to the clamp device.

15. (Currently Amended) The connecting assembly of claim 10 wherein the cross rod includes a protrusion for retaining the ~~crossrod~~ cross rod within the rod receiving member.

16. (Currently Amended) [[A]] The connecting assembly for interconnecting spinal rods secured to spinal vertebrae, the connecting assembly comprising:

a pair of spinal rod connecting devices for being connected to a respective pair of spinal rods;

a cross rod having opposite ends and a central longitudinal rod axis extending therebetween and being connected to a first one of the pair of spinal rod connecting devices at a first one of the opposite rod ends;

a rod receiving member having a central longitudinal receiver axis and being connected to a second one of the pair of spinal rod connecting devices, the rod receiving member including an internal bore oriented along the receiver axis and being configured for adjustably receiving a second one of the opposite rod ends so that the rod may be pivoted with respect to the receiver axis to provide the rod with variable angles relative thereto and so that the cross rod may be shifted axially along the rod axis to variable depths within the bore of the rod receiving member;

a clamp device for clamping against the cross rod received in the rod receiving member; and

a sleeve for clamping the clamp device against the cross rod to fix the cross rod at an adjusted angle and an adjusted depth within the receiving member of claim 10 wherein the sleeve includes an internal structure that imparts a compression force on the clamp device for securing the cross rod.

17. (Previously Presented) The connecting assembly of claim 16 wherein the rod receiving member includes a terminal surface for limiting the position of the clamp device.

18. (Previously Presented) The connecting assembly of claim 17 wherein the clamp device is compressed between the terminal surface of the rod receiving member and the internal structure of the sleeve to secure the cross rod.

19. (Previously Presented) The connecting assembly of claim 17 wherein the internal structure of the sleeve contacts the clamp device directly.

20. (Previously Presented) The connecting assembly of claim 17 wherein the internal structure of the sleeve that contacts the clamp device includes a shoulder portion.

21. – 23. (Canceled)

24. (Previously Presented) A connecting assembly for interconnecting a pair of spinal rods secured to spinal vertebrae, the connecting assembly comprising:

    a pair of spinal rod connecting devices each having an arcuate surface and a locking member for clamping the connecting assembly to the pair of spinal rods;

    a cross rod being connected to one of the connecting devices, the cross rod having a solid construction without a slot formed therein;

    a rod receiving member being connected to the other connecting device, the rod receiving member including an internal generally annular bore configured for receiving and guiding the solid cross rod for depth adjustment therein;

    a clamp device configured for extending about and clamping against the solid cross rod when received in the rod receiving member;

    a sleeve that is operable for clamping the clamp device against the solid cross rod; and side openings in the receiving member that open to the bore to allow the solid cross rod to be pivoted in and out of the bore through the side openings, wherein the cross rod has lateral surfaces which may be pivoted relative to the rod receiving member into and out of the bore and through the rod receiving member side openings.

25. (Previously Presented) The connecting assembly of claim 24 wherein the cross rod has a central longitudinal axis, and the rod receiving member has a central longitudinal axis.

26. (Previously Presented) The connecting assembly of claim 24 wherein the cross rod may be pivoted to a position such that the cross rod is protruding from one of the side openings.

27. (Previously Presented) A connecting assembly for interconnecting a pair of spinal rods secured to spinal vertebrae, the connecting assembly comprising:

a pair of spinal rod connecting devices each having an arcuate surface and a locking member for clamping the connecting assembly to the pair of spinal rods;

a cross rod being connected to one of the connecting devices;

a rod receiving member being connected to the other connecting device, the rod receiving member including an internal bore for receiving the cross rod;

a clamp device for clamping against the cross rod when received in the rod receiving member;

a sleeve for clamping the clamp device against the cross rod;

side openings in the receiving member that open to the bore to allow the cross rod to be pivoted in and out of the bore through the side openings, wherein the cross rod has lateral surfaces which may be pivoted relative to the rod receiving member into and out of the side openings;

wherein the cross rod has a central longitudinal axis, and the rod receiving member has a central longitudinal axis;

wherein the lateral surfaces of the cross rod are beveled towards the central longitudinal axis of the cross rod at an end of the cross rod.

28. (Previously Presented) The connecting assembly of claim 1 wherein the actuator member is rotatable by about 80° to about 110° to the locked position thereof corresponding to the clamped position of the locking member.

29. (Previously Presented) The connecting assembly of claim 1 wherein the actuator member has an axis of rotation and the actuator member shifts axially along the axis of rotation during rotation of the actuator member about the axis of rotation to the locked position.

30. (Currently Amended) A connecting assembly for interconnecting spinal rods secured to spinal vertebrae, the connecting assembly comprising:

a pair of spinal rod connecting devices each having a body with a lower arcuate surface that opens downwardly for being connected to lowered down onto a respective pair of spinal rods to be seated thereon;

a cross rod having opposite ends and a central longitudinal rod axis extending therebetween and being connected to integral with an upper portion of the body of a first one of the pair of spinal rod connecting devices to be fixed relative thereto at a first one of the opposite rod ends so that the cross rod is generally higher than the downwardly opening, lower arcuate surface of the first spinal rod connecting device;

a rod receiving member having a central longitudinal receiver axis and being connected to a second one of the pair of spinal rod connecting devices, the rod receiving member including an internal bore oriented along the receiver axis and being configured for adjustably receiving a second one of the opposite rod ends so that the rod may be pivoted with respect to the receiver axis to provide the rod with variable angles relative thereto to allow the axes of the cross rod and rod receiving member to be either coincident or extend transversely to one another and so that the cross rod may be shifted axially along the rod axis to variable depths within the bore of the rod receiving member;

Application No. 10/692,460  
AMENDMENT dated November 24, 2009  
Reply to Office Action of September 1, 2009

a clamp device for clamping against the cross rod received in the rod receiving member; and

a sleeve for clamping the clamp device against the cross rod to fix the cross rod at an adjusted angle and an adjusted depth within the receiving member wherein the sleeve is rotated to clamp the clamp device against the cross rod.